

Message Text

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TAGS: CGEN, SOPN, PROP, UR, US
SUBJECT: SLANDER CHARGES AGAINST TWO US CORRESPONDENTS

REF: (A) MOSCOW 15240, (B) MOSCOW 14997, (C) MOSCOW 1485

1. PIPER (BALTIMORE SUN) AND WHITNEY (NEW YORK TIMES),
ACCOMPANIED BY CONSOFF RICHARD CARTER, APPEARED IN MOSCOW
CITY COURT MORNING JUNE 30 AND WERE INFORMED BY CHIEF
CITY JUDGE LEV ALMAZOV OF THE POSTPONEMENT OF THEIR
TRIAL DATE TO JULY 7 DUE TO THEIR UNSATISFACTORY RESPONSE
TO CIVIL COMPLAINT LODGED AGAINST THEM BY GOSTELRADIO.

2. WHITNEY AND PIPER PRESENTED ALMAZOV WITH SIMILAR
WRITTEN STATEMENTS IN RUSSIAN AND ENGLISH EXPLAINING
THAT THEY HAD NOT HAD ADEQUATE TIME TO STUDY THE COM-
PLAINT NOR TO PREPARE A DEFENSE.

3. JUDGE ALMAZOV, APPEARING BOTH SURPRISED AND ANNOYED,
INFORMED THE DEFENDANTS THAT HE HAD EXPECTED THEM TO
PROVIDE THE COURT WITH ALL EVIDENCE FOR THEIR DEFENSE
AND A LIST OF WITNESSES TO BE SUMMONED. HE THEN ORDERED
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THAT ON JULY 3 AT 1200 NOON THAT ALL MATERIALS IN THEIR
DEFENSE BE PRESENTED AND THAT THEIR TRIAL BE HELD AT
1100 ON JULY 7.

4. THE JUDGE VOICED HIS MILD SHOCK TO PIPER AND WHITNEY
WITH THEIR NON-COMPLIANCE WITH HIS WISHES, ESPECIALLY
SINCE HE HAD DRIGINALLY MOVED THEIR TRIAL DATE FROM US

INDEPENDENCE DAY TO JULY 5.

5. PIPER INFORMED ALMAZOV THAT HIS SOVIET ATTORNEY, GENRIKH RUBEZHEV, WHO COULD NOT BE PRESENT TODAY DUE TO A TRIAL APPEARANCE, WOULD BE ON VACATION WHEN THEIR TRIAL IS SCHEDULED TO BEGIN. IN RESPONSE, ALMAZOV MENTIONED THAT HE WOULD CONTACT THE MOSCOW BAR ASSOCIATION IN THE HOPE THAT RUBEZHEV COULD BE MADE AVAILABLE.

6. WHITNEY, WHO SO FAR HAS NOT RETAINED A SOVIET ATTORNEY, CALLED ALMAZOV'S ATTENTION TO THE FACT THAT HE WOULD WAIVE HIS RIGHT TO LEGAL COUNSEL IF, BECAUSE OF CHOICE OR CIRCUMSTANCE, HE DOES NOT HAVE A LAWYER IN TIME FOR THE TRIAL.

7. PIPER AND WHITNEY REFUSED TO SIGN A DOCUMENT WHICH STATED THAT THEY HAD BEEN INFORMED OF THE NEW DATES FOR THE PRESENTATION OF DEFENSE EVIDENCE AND THEIR TRIAL SINCE THEY OPPOSED THE DECISION CONCERNING THE NEW TRIAL DATES. BOTH NEWSMEN WISHED TO ADD A SUBSCRIPT NOTING THEIR NON-AGREEMENT WITH THOSE NEW DATES.

8. THE COURT CLERK THEN WROTE A STATEMENT IN LONG-HAND WHICH STATED THAT PIPER AND WHITNEY REFUSED TO SIGN THE FIRST STATEMENTS PRESENTED THEM. BOTH PIPER AND WHITNEY HAVE INFORMED CONSOFF THAT THEY WILL CANCEL LIMITED OFFICIAL USE

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THEIR VACATION PLANS AND STAY IN THE COUNTRY UNTIL COMPLAINT MATTER IS SETTLED.

9. COMMENT: THE ESSENCE OF THE LAW THAT PIPER AND WHITNEY ARE CHARGED WITH VIOLATING, ARTICLE 7 OF THE CIVIL CODE OF RSFSR, IS THAT A PERSON CONVICTED OF SLANDER MUST RPT MUST MAKE A PUBLIC RETRACTION OF HIS SLANDEROUS STATEMENTS, EVEN AFTER THE FINE HAS BEEN PAID. TOON

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